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PTO/SB/25 (08-03)

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REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)  
5235

In re Application of: Cates et al.  
Application No.: 10/044,171  
Filed: October 22, 2001  
For: Coated Textile Substrate for Image Printing

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NOV 03 2003  
TC 1700

The owner\*, Milliken & Co., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/044,414, filed on 10-22-01, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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2. ☐ The undersigned is an attorney or agent of record.

10/30/2003 KBETEM1 00000028 040500 10044171

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Terry T. Moyer Oct. 27, 2003  
Signature Date

Terry T. Moyer, Vice President and  
Typed or printed name Senior Counsel

(864) 503-1600

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.  
The Commissioner is hereby authorized to deduct the Terminal Disclaimer fee from our Deposit Account No. 04-0500.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Serial No.: 10/044,171  
Inventor(s): Cates et al.

U.S. PTO Customer No. 25280  
Case No.: 5235

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

P11

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NOV 03 2003  
TC 1700

Application of: Cates et al.  
Serial Number: 10/044,171  
Filed: October 22, 2001  
For: **Coated Textile Substrate for Image Printing**  
Group Art Unit: 1774  
Examiner: Grendzynski, Michael E.

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

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Name: Kerry A. Lawter

Signature: Kerry A. Lawter

**STATEMENT UNDER 37 CFR § 3.73(b)**

Milliken & Company states that it is the Assignee of the entire right, title, and interest in the patent application-patent identified above by virtue of an Assignment from the inventors Elizabeth Cates, Daniel McBride, William Kimbrell, and Kirkland, which is recorded in the Patent and Trademark Office at Reel 012680, Frame 0080, for which a copy thereof is attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

Terry T. Moyer  
Vice President and Senior General Counsel  
MILLIKEN & COMPANY  
Reg. No. 26,008

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